

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

LINDA MARIE LAVORGNA,

Plaintiff,

v.

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

C. A. No. 4:10-2080-SB

ORDER

This matter is before the Court upon the Plaintiff's action pursuant to 42 U.S.C. § 405(g) to review a final decision of the Commissioner of Social Security, which denied her request for disability benefits. Pursuant to Local Rule 73.02(B)(2)(a), the Court referred this matter to a United States Magistrate for initial review.

On November 16, 2011, Magistrate Judge Thomas E. Rogers, III issued a report and recommendation ("R&R") analyzing the Plaintiff's claims and recommending that the Court affirm the Commissioner's final decision denying benefits. Stated simply, the Magistrate Judge determined that the Plaintiff failed to demonstrate that the Commissioner's decision was not based on substantial evidence. Attached to the R&R was a notice advising the parties of the right to file written objections to the R&R within fourteen days of being served with a copy. See 28 U.S.C. § 636(b). To date, no objections have been filed.

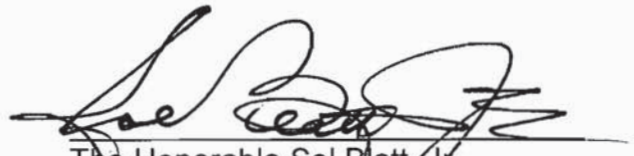
Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985). Here, because no objections have

been filed, there are no portions of the report and recommendation to which the Court must conduct a de novo review.

Accordingly, after consideration, the Court affirms the R&R and adopts it as the order of the Court, and it is hereby

ORDERED that the Commissioner's decision denying the Plaintiff's claim for benefits is affirmed.

IT IS SO ORDERED.



The Honorable Sol Blatt, Jr.
Senior United States District Judge

December 12, 2011
Charleston, South Carolina

#2